

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KELLY INNSBRUCK ALEXANDER,

Plaintiff(s).

V.

BARBARA G. CEGAVSKE, et al.,

Defendant(s).

Case No.: 2:18-cv-02289-RFB-NJK

Order

16 It appears that there is a dispute whether discovery should proceed at this juncture. Docket
17 No. 26. The pendency of a motion to dismiss, standing alone, does not stay discovery. *See, e.g.*,
18 *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). Instead, a party seeking to stay
19 discovery must file a motion addressing the applicable standards. *See, e.g.*, *Kor Media Grp., LLC*
20 *v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013). To the extent Defendants seek to avoid discovery
21 pending resolution of a motion to dismiss, they must file a motion to stay discovery by February
22 21, 2019. If such a motion is filed, discovery will be stayed on an interim basis until the motion
23 to stay discovery is resolved. If such a motion is not filed, a discovery plan shall be filed by
24 February 28, 2019.

IT IS SO ORDERED.

Dated: February 14, 2019

Nancy J. Koppe
United States Magistrate Judge